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PTO/SB/01 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

Declaration Submitted with Initial Filing       Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	2014
First Named Inventor	Hochschuler et al.
<b>COMPLETE IF KNOWN</b>	
Application Number	09 / 794,873
Filing Date	02/27/2001
Group Art Unit	3732
Examiner Name	

**As a below named inventor, I hereby declare that:**

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND APPARATUS FOR TREATING A VERTEBRAL BODY**

*(Title of the Invention)*

the specification of which

is attached hereto

OR

was filed on (MM/DD/YYYY)  as United States Application Number or PCT International

Application Number  and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
60/185,323	2/28/2000	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/220,303	07/24/2000	
60/239,216	10/10/2000	
60/239,217	10/10/2000	

[Page 1 of 2]

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## DECLARATION — Utility or Design Patent Application

Direct all correspondence to:  Customer Number \_\_\_\_\_  
 Bar Code Label \_\_\_\_\_ OR  Correspondence address below

Name Robert C. Beck

Address Beck & Tysver, P.L.L.C.

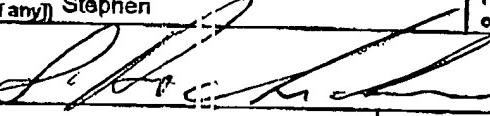
Address 2901 Thomas Avenue South, Suite 100

City Minneapolis	State MN	ZIP 55416
Country USA	Telephone 612-915-9635	Fax 612-915-9637

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:	<input type="checkbox"/> A petition has been filed for this unsigned inventor
---------------------------------	---

Given Name (first and middle, if any) Stephen	Family Name or Surname Hochschuler
--	---------------------------------------

Inventor's Signature 	Date 11/9/01		
Residence: City Dallas	State TX	USA Country	Citizenship USA

Mailing Address 17214 Club Hill Drive

Mailing Address

City Dallas	State TX	ZIP 75248	Country USA
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NAME OF SECOND INVENTOR:	<input type="checkbox"/> A petition has been filed for this unsigned inventor
--------------------------	---

Given Name (first and middle, if any) Wesley	Family Name or Surname Johnson
---	-----------------------------------

Inventor's Signature 	Date 11/9/01		
Residence: City Eden Prairie	State MN	USA Country	Citizenship USA

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Mailing Address

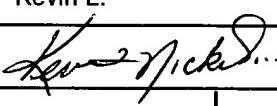
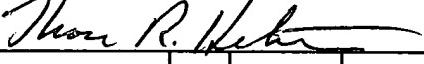
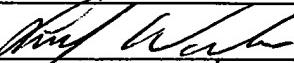
City Eden Prairie	State MN	ZIP 55347	Country USA
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Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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PTO/SB/02A (3-97)  
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DECLARATION				ADDITIONAL INVENTOR(S) Supplemental Sheet				
				Page <u>1</u> of <u>2</u>				
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name (first and middle [if any])				Family Name or Surname				
Kevin L.				Nickels				
Inventor's Signature					11/9/01		Date	
Residence: City	Bloomington	State	MN	Country	USA	Citizenship	USA	
Post Office Address	8732 Walton Pond Circle							
Post Office Address								
City	Bloomington	State	MN	ZIP	55438	Country	USA	
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname				
Thomas R.				Hektner				
Inventor's Signature					9/16/01		Date	
Residence: City	Medina	State	MN	Country	USA	Citizenship	USA	
Post Office Address	825 Navajo Road							
Post Office Address								
City	Medina	State	MN	ZIP	55340	Country	USA	
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname				
Larry				Wales				
Inventor's Signature					11/9/01		Date	
Residence: City	Maplewood	State	MN	Country	USA	Citizenship	USA	
Post Office Address	1654 Currie Street							
Post Office Address								
City	Maplewood	State	MN	ZIP	55119	Country	USA	

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## DECLARATION

### ADDITIONAL INVENTOR(S) Supplemental Sheet Page 2 of 2

#### Name of Additional Joint Inventor, if any:

A petition has been filed for this unsigned inventor

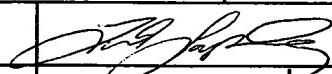
Given Name (first and middle [if any])

Family Name or Surname

Tyler

Lipschultz

Inventor's Signature



Date

11/8/2001

Residence: City

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Citizenship

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ZIP

55401

Country

USA

#### Name of Additional Joint Inventor, if any:

A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Family Name or Surname

Inventor's Signature

Date

Residence: City

State

Country

Citizenship

Post Office Address

Post Office Address

City

State

ZIP

Country

#### Name of Additional Joint Inventor, if any:

A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Family Name or Surname

Inventor's Signature

Date

Residence: City

State

Country

Citizenship

Post Office Address

Post Office Address

City

State

ZIP

Country

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